

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

AMERICAN BOOKSELLERS FOUNDATION  
FOR FREE EXPRESSION, et al.,

Plaintiffs,

vs.

TED STRICKLAND, et al.,

Defendants.

:  
:  
:  
:  
:

Case No. 3:02cv210

JUDGE WALTER HERBERT RICE

---

DECISION AND ENTRY CARRYING OUT ORDER OF REMAND FROM  
SIXTH CIRCUIT COURT OF APPEALS; PERMANENT INJUNCTION  
VACATED; JUDGMENT TO ENTER IN FAVOR OF DEFENDANTS AND  
AGAINST PLAINTIFFS HEREIN; MOTIONS FOR ATTORNEYS FEES  
AND COSTS (DOCS. #66 AND #107) OVERRULED AS MOOT;  
TERMINATION ENTRY

---

Pursuant to the April 15, 2010, Order of Remand of the United States Court of Appeals for the Sixth Circuit, the permanent injunction previously issued by this Court is vacated and final judgment entered in favor of Defendants and against Plaintiffs herein.

As the result of this Court's ruling above, the initial Motion of Plaintiffs, seeking attorneys fees and costs (Doc. #66) (sustained by this Court, without quantification, at Doc. #103) and second Motion for Attorneys Fees and Costs (Doc. #107) are, each in their entirety, overruled as moot. To the extent necessary, this Court's decision sustaining the initial Motion for Attorneys Fees

(Doc. #103), while deferring quantification of same, is vacated.

The captioned cause is hereby ordered terminated upon the docket records of the United States District Court for the Southern District of Ohio, Western Division, at Dayton.

/s/ Walter Herbert Rice

May 25, 2010

---

WALTER HERBERT RICE  
UNITED STATES DISTRICT JUDGE

Copies to:

All Counsel of Record